IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38146 of 2007(N)

PETITIONER:

SUNIL KUMAR P.D., S/O.T.K.DAMODARAN,
AGED 41 YEARS, RESIDING AT 'PATTARUMADOM',
35/466, YMJ ROAD, MAMANGALAM, COCHIN.

BY ADV. SRI.C.S.SUNIL

RESPONDENT:

THE STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.M.P.SREEKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

HARUN-UL-RASHID, J.

W.P.(C) NO.38146 OF 2007

Dated this the 24th day of December, 2007

JUDGMENT

The petitioner who is the first accused in C.C. No.2576 of 2002 on the file of the Judicial First Class Magistrate's Court II, Ernakulam seeks a direction to the court below to supply him the correct copy of the charge sheet in Crime No.500 of 2002 of Ernakulam Town North Police Station.

2. According to the petitioner, only one copy of the charge sheet was given to all the accused and that the statement of CW.1 is not seen attached to the said charge sheet. Hence, the charge sheet is incomplete and that unless the complete charge sheet is given to him before proceeding with the case, irreparable injury will be caused to him.

3. It is not stated in the petition whether the above fact was brought to the notice of the learned Magistrate at any time. The petitioner shall, therefore, file the necessary application before the court below for a complete copy of the charge sheet in which case, the learned Magistrate

shall consider his request and pass appropriate orders.

The Writ Petition is disposed of as above.

(HARUN-UL-RASHID, JUDGE)

sp/

KURIAN JOSEPH &

HAURN-UL-RASHID, JJ.

L.A.A.NO

JUDGMENT

4TH DECEMBER, 2007